

Docket No.
39868/24659

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
SHAPEABLE CATHETER

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

08/764,745

12/12/96

pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

08/159,826

12/01/93

abandoned

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

07/834,007

2/11/92

patented

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)
patented

07/730,120

7/15/91

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*



21888

PATENT TRADEMARK OFFICE

Send Correspondence to: **Gregory E. Upchurch, Esq., Reg. No. 28,482**
Thompson Coburn LLP
One Firstar Plaza, Suite 3500
St. Louis, MO 63101

Direct Telephone Calls to: *(name and telephone number)*
Gregory E. Upchurch, Esq., Reg. No. 28,482 314-552-6580

Full name of sole or first inventor	Larry D. Paskar	
Sole or first inventor's signature	<i>Larry D. Paskar</i>	8/15/01 Date
Residence	Chesterfield, Missouri	
Citizenship	United States	
Post Office Address	14337 Stablestone Court	
	Chesterfield, Missouri 63017	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: L. Paskar

GROUP ART UNIT: N/Y/A

SERIAL NO.: N/Y/A

EXAMINER: M. Bockelman

FILED:

DOCKET NO.: 39868/24659

FOR: Shapeable Catheter

Declaration of James F. Benenati, M.D.

1. I am an interventional radiologist, licensed to practice in the states of Florida, Indiana (inactive) and Maryland (inactive). I received my M.D. degree in 1984 from the University of South Florida College of Medicine, in Tampa, Florida. I was a resident in radiology from 1984-88 at Indiana University Medical Center, in Indianapolis, Indiana, and completed my fellowship in 1989 at the Department of Radiology of The Johns Hopkins Medical Institution, in Baltimore, Maryland. I am currently Voluntary Professor of Radiology at the University of Miami School of Medicine, in Miami, Florida. I am also Medical Director, peripheral Vascular Laboratory, and Program Director, Vascular/Interventional Radiology Fellowship, at the Miami Cardiac & Vascular Institute of Baptist Hospital of Miami, Florida. My resumé is attached as Exhibit 1 to this declaration.

2. I am familiar with medical procedures, including the following procedures listed in the patent disclosure¹ of Larry Paskar, M.D.:

¹ My identification of these procedures is based upon their disclosure in U.S. Patent 5,304,131.

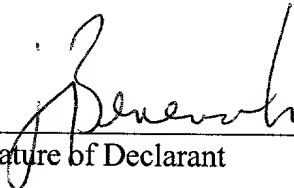
Selective cerebral artery catheterization procedures
Selective visceral artery catheterization procedures
Selective intracerebral artery catheterization procedures
Selective arterial angioplasty catheterization procedures
Selective venous catheterization procedures
Percutaneous cholangiography procedures
Percutaneous nephrostomy procedures

3. Based upon my experience, these procedures are routinely performed under fluoroscopic examination, and any one of any skill trained in these procedures would know that they are performed under fluoroscopic examination.

4. The disclosure of the various procedures in the Paskar patent disclosure would inherently disclose to one having at least ordinary level of skill in the art that these procedures are performed under fluoroscopic examination.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize that validity of the application or any patent issued thereon.

Date: 3/14/01



Signature of Declarant